

R E P O R T O F V I E W E R S .

To the Honorable, the Judges of the Court of Quarter Sessions of
Cambria County, Pennsylvania.

We, the undersigned members of the permanent Board of Viewers of Cambria County, Pa., appointed by your honorable Court, upon the attached order, and directed to view and determine the damages, if any, sustained by Thomas Brandt, of Dean Township, said county and state, by reason of the laying out and constructing of State Highway Route No. 234, through and over his premises, situate in the Village of Dean; respectfully report:

That having given due and legal notice of the view and of the time and place of meeting of the Viewers, to the Commissioners of Cambria County and to Thomas Brandt, the petitioner, and having them accept service of notices hereto attached, and to the general public by printed hand bills posted, ten days prior to the day set for the view, in public and conspicuous places on and near the premises and along the right of way where same passes through and over his said premises, and each having been first duly sworn according to law to perform the duties of our appointment faithfully, impartially and to the best of our judgment, and true report to make concerning all matters and things submitted to us in relation to which we were authorized to enquire. All of us met upon the premises, in accord with the notices served and posted as aforesaid, and having gone over and carefully viewed and examined the property affected by the appropriation and having heard and examined the petitioner and having gone over and carefully considered the whole situation we estimated and determined the damages and prepared a schedule thereof for exhibition and notified the parties in interest of a time and place fixed for the sitting to exhibit same and hear any further testimony the parties might have to offer. Later, in accord with said notice we met at the Court House, Ebensburg, Pa. and did exhibit said schedule and submitted a copy thereof to the parties interested, showing an award of damages, in excess of

benefits, in the sum of Six Hundred Eighty(\$680.00) Dollars.

From the view of the premises and the evidence submitted the viewers learned that State Highway Route NO. 234 had been laid out and the width, where same crossed the lots of the said Thomas Brandt, of seventy to eighty five feet (the exact width as indicated on two state highway maps not corresponding) .

That the highway as laid out crossed the premises of the petitioner at an angle, thereby taking and cutting his property much more than had it crossed directly from side to side.

That his garden has been cut in two by the new road and the greater portion of same taken for the right of way of the new highway and the small portions left on either side are so small that they are of little or no practical use to the owner.

That the right of way of the new highway has already so interfered with the use of one or more of the owners small buildings as to render them of almost no value to him.

That the right of way passes so close to the residence of the owner of the premises as to be almost against the porch attached thereto besides taking almost all of his grass plot, some small fruit trees and a grape arbor.

That the surface water from along the highway has been diverted from its natural course and turned directly through the center of the small garden plot left him on the northerly side of his house, that between what ground has actually been taken and the interference with the use of what remains actually deprives the owner of between three fourths and four fifths of his three lots and much interferes with the use and enjoyment of the balance.

Accordingly we have estimated that Thomas Brandt had sustained damages in the sum of \$680.00. which should be paid him by the County of Cambria.

Witness our hands this 18th.

day of November, A. D., 1931.

A. M. Shoemaker

Philip E. Caulfield

J. D. Ritter

Viewers.

NOTICE -Unless exceptions to the above report or an appeal is taken within thirty days from the filing of same it shall be confirmed absolutely. 1

Viewers, Per A. M. Shoemaker

N O T I C E O F V I E W .

Notice is hereby given that the viewers appointed by the Court of Quarter Sessions of Cambria County, Pennsylvania, to view and determine ~~xx~~ the damages, if any, sustained by Thomas Brandt by reason of the laying out and constructing of State Highway Route No. b234, through and over his three lots or pieces of ground situate in the Village of Dean, Dean Township, Cambria County, Pennsylvania; said lots being No. 34 on plan of lots laid out by Anthony Swires and Nos. 33 and 35 on plan of lots of the Swires Heirs; Said viewers appointed as aforesaid, will meet upon the premises, in Dean Township, said county and state, Wednesday, November 4th., 1931, at 9:45 o'clock a. m., for the purpose of viewing said Premises and hearing such testimony as the parties in interest may have to offer, and performing such other duties as their appointment may require.

A. M. Shoemaker,

J. D. Ritter and

Adam Shuman,

Viewers.

Now, October 1931, service of the above notice is hereby accepted for the Commissioners of Cambria County, Pennsylvania.

W C Port
asst Clerk.

NOTICE OF VIEW.

Notice is hereby given that the viewers appointed by the Court of Quarter Sessions of Cambria County, Pennsylvania, to view and determine the damages, if any, sustained by Thomas Brandt by reason of the laying out and constructing of State Highway Route No. 234, through and over his three lots or pieces of ground situate in the Village of Dean, Dean Township, Cambria County, Pennsylvania; said lots being No. 34 on plan of lots laid out by Anthony Swires and lots Nos. 33 & 35 on plan of lots of the Swires Heirs; said viewers appointed as aforesaid will meet upon the premises, in Dean Township, said county and state, Wednesday, November 4th., 1931, at 9:45 o'clock a. m., for the purpose of viewing said premises and hearing such testimony as the parties in interest may have to offer, and performing such other duties as their appointment may require.

A. M. Shoemaker,

J. D. Ritter and

Adam Shuman,

Viewers.

Now, October 23rd. 1931, service of the above notice is hereby accepted by Thomas Brandt, the petitioner.

Thomas Brandt

NOTICE OF VIEW.

Notice is hereby given that the viewers appointed by the Court of Quarter Sessions of Cambria County, Pennsylvania, to view and determine the damages, if any, sustained by Thomas Brandt by reason of the laying out and constructing of State Highway Route No. 284, through and over his three lots or pieces of ground situate in the Village of Dean, Dean Township, Cambria County, Pennsylvania; said lots being No. 34 on plan of lots laid out by Anthony Swires and lots Nos. 33 & 35 on plan of lots of the Swires Heirs; said viewers appointed as aforesaid will meet upon the premises, in Dean Township, said county and state, Wednesday, November 4th., 1931 at 9:45 a. m., for the purpose of viewing same and hearing such testimony as the parties in interest may have to offer, and performing such other duties as their said appointment may require.

A. M. Shoemaker,

J. D. Ritter and

Adam Shuman,

Viewers.

S C H E D U L E .

The undersigned Viewers appointed by the Court of Quarter Session of Cambria County, Pennsylvania, to view and determine the damages, if any, resulting to Thomas Brandt by reason of the laying out and ~~xx~~ constructing of State Highway Route NO. 234, through and over his ~~pre~~ premises in Dean Townshp, Cambria County, Pa.

Having viewed the said premises heard and considered the testimony offered and after carefully considering the situation and the evidence offered we have estimated the damages sustained by the said petitioner, Thomas Brandt, and are of the opinion that he has ~~sustaine~~ sustained damages in the amount of Six Hundred Eighty Dollars and no benefits to offset same, and therefore submitt that he should be paid that amount by the County of Cambria.

Philip E. Caulfield,

J. D. Ritter and

A. M. Shoemaker,

Viewers.

Cost of View.

A. M. Shoemaker.

Preparing, posting and serving notices of view & notifying viewers —	18 ⁰⁰
44 miles @ 10 cts. per mile —	4 ⁴⁰
Stenographer & stationery —	2 ⁷⁵
View & hearing —	12 ⁰⁰
Preparing schedules & notices of exhibition of schedules & serving same —	9 ⁰⁰
Making survey, plotting, drafting, help & transportation —	21 ⁶⁵
Consultation & exhibition of schedule —	6 ⁰⁰
Preparing, having signed assembling & filing report & notifying parties of filing —	18 ⁰⁰
Stenographer & stationery —	3 ⁰⁰
	<u>\$94.95</u>

J. D. Ritter

Day on View & hearing evidence —	12 ⁰⁰
34 mi. Barnabos to Ebersburg & return	3 ⁴⁰
Consultation & exhibition of schedule	6 ⁰⁰
34 miles @ 10 cts.	3 ⁴⁰
	<u>\$24.80</u>

Philip E. Carlfield

Day on View & hearing —	12 ⁰⁰
36 miles Johnston to Elg & return	3 ⁶⁰
Consultation & exhibition of schedule	6 ⁰⁰
36 miles @ 10 cts. per mi.	3 ⁶⁰
	<u>\$25.20</u>

APPROVED FOR PAYMENT

A. J. Don

Sarah H. Walker
COMMISSIONER

State of Pennsylvania

SS.

County of Cambria

Before me, James McClune, Deputy Controller,
personally came A. M. Shoemaker, one of the viewers named on the
attached order of Court, who being duly sworn according to law
deposes and says that the items contained in the attached bill
relative to time of employment, milage, stenographer, stationery,
postage &c. are true and correct and the expense of auto hire,
help, stenographer, stationery, help \$6. paid and settled as he
varily believes.

A. M. Shoemaker

Sworn and subscribed to this

3rd. day of August, A. D., 1931.

James McClune
Deputy Controller.

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PENNSYLVANIA.

TO THE HONORABLE, THE JUDGES OF SAID COURT:-

The petition of Thomas Brandt, respectfully represents:

1.

That he is the owner of three certain lots of ground, situate in the Village of Dean, Township of Dean, County of Cambria and State of Pennsylvania, bounded and described as follows:

No. 1. Known as lot No. 34 on the plan of lots laid out in the Village of Dean by the heirs of Anthony Swires.

No. 2. Beginning at a post in the intersection of Market Avenue and Walnut Street; thence along Market Avenue North five degrees East fifty (50) feet to corner of lot No. 34; thence along the division line between lots Nos. 33 and 34 South eighty-five degrees East one hundred fifty (150) feet to a post on Bear Alley; thence along said Alley South five degrees West fifty (50) feet to a post on Walnut Street; thence along Walnut Street North eighty-five degrees West one hundred fifty (150) feet to a post at place of beginning, and being lot No. 33 on the plan of lots laid out by the heirs of the Swires Estate May 20, 1886, by J. B. Spiess, C. E.

No. 3. Beginning at a post on Market Avenue; thence along said Avenue North five degrees East fifty (50) feet to a post at corner of lot No. 33; thence along the division line between lots Nos. 33 and 34 South eighty-five degrees East one hundred fifty (150) feet to a post on Bear Alley; thence along said Alley South five degrees West fifty (50) feet to a post, corner of lot No. 34; thence along the division line between lots Nos. 34 and 35 North eighty-five degrees East one hundred fifty (150) feet to Market Avenue, the place of beginning, and being lot No. 35 on the plan of lots laid out by the heirs of the Swires Estate May 20, 1886, by J. B. Spiess, C. E.

2.

That a public highway, known as Route No. 234, has been laid out by the Commonwealth of Pennsylvania through the lots

of ground, above described.

3.

That in laying out said highway there has been taken and appropriated from the lots of ground above described, belonging to your petitioner, a strip of ground approximately seventy (70) feet in width, which runs through said lots of ground and causes a division thereof.

4.

That as a result of the laying out and the appropriation of said strip of land, your petitioner has been damaged in that the value of his land has been rendered practically worthless, a number of fruit trees have been destroyed, and, by reason of the change of grading, the surface water has been turned on to the land used as a garden by your petitioner and has destroyed his crops.

5.

Your petitioner further avers that no compensation for this damage has been paid him or agreed upon between him and the County of Cambria.

WHEREFORE, your petitioner prays your Honorable Court to appoint a Board of Viewers to assess the damages arising by reason of the appropriation of said land and the destruction of his property and to report the same to your Honorable Court agreeably to the Acts of Assembly in such case made and provided.

And your petitioner will ever pray.

Thomas Brandt

State of Pennsylvania :
County of Cambria : SS:

Thomas Brandt, being duly sworn according to law,
deposes and says that he is the petitioner above named and
that the facts set forth in the foregoing petition are true,
to the best of his knowledge, information and belief.

Thomas Brandt

Sworn and subscribed before me
this 9th day of October, A. D.,
1931.

Geo. Walker Williams
Prothonotary.

(SEAL)

14 JAN 1932
15 JAN 1932
DECREE.

And now, October 12, 1931, the foregoing petition having been read and considered, it is ordered that Adam Shuman, Philip E. Caulfield, J. D. Ritten, and A. M. Shuman, members of the Board of Viewers of Cambria County, be and hereby are appointed to view the said land, and it is further ordered that the said Board of Viewers shall hold its first meeting as required by law, Acts of Assembly and Rules of Court, after having given due notice of said meeting, as required by law, and make report of their findings to this Court.

Samuel L. Reed
P. J. C. L. P.

Certified October 14-1931

Frank C. Robt

— Clerk L. S.

Aug. 2 1891
L. J. Ober

1391-41 Century 11 boundary

950-10

No. 3 September, 1931.
In the Court of Quarter
Sessions of Cambria
County, Pa.

In re View of Property of
Thomas Brandt, Sean
Twp., Cambria Co., Pa.

Order to View
and
Report Viewers

Index

Lucy

1453 - 1454

શિવે ૩

17

12 December 1931. Approved

By the Court
Dana D. N.

14 March 1932 v. *Car. formica* / *absolutely*
formica m. *formica*
formica *formica*

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PENNSYLVANIA.

TO THE HONORABLE, THE JUDGES OF SAID COURT:-

The petition of Thomas Brandt, respectfully represents:

1.

That he is the owner of three certain lots of ground, situate in the Village of Dean, Township of Dean, County of Cambria and State of Pennsylvania, bounded and described as follows:

No. 1. Known as lot No. 34 on the plan of lots laid out in the Village of Dean by the heirs of Anthony Swires.

No. 2. Beginning at a post in the intersection of Market Avenue and Walnut Street; thence along Market Avenue North five degrees East fifty (50) feet to corner of lot No. 34; thence along the division line between lots Nos. 33 and 34 South eighty-five degrees East one hundred fifty (150) feet to a post on Bear Alley; thence along said Alley South five degrees West fifty (50) feet to a post on Walnut Street; thence along Walnut Street North eighty-five degrees West one hundred fifty (150) feet to a post at place of beginning, and being lot No. 33 on the plan of lots laid out by the heirs of the Swires Estate May 20, 1886, by J. B. Spiese, C. E.

No. 3. Beginning at a post on Market Avenue; thence along said Avenue North five degrees East fifty (50) feet to a post at corner of lot No. 36; thence along the division line between lots Nos. 35 and 36 South eighty-five degrees East one hundred fifty (150) feet to a post on Bear Alley; thence along said Alley South five degrees West fifty (50) feet to a post, corner of lot No. 34; thence along the division line between lots Nos. 34 and 35 North eighty-five degrees West one hundred fifty (150) feet to Market Avenue, the place of beginning, and being lot No. 35 on the plan of lots laid out by the heirs of the Swires Estate May 20, 1886, by J. B. Spiese, C. E.

2.

That a public highway, known as Route No. 234, has been laid out by the Commonwealth of Pennsylvania through the lots

of ground, above described.

3.

That in laying out said highway there has been taken and appropriated from the lots of ground above described, belonging to your petitioner, a strip of ground approximately seventy (70) feet in width, which runs through said lots of ground and causes a division thereof.

4.

That as a result of the laying out and the appropriation of said strip of land, your petitioner has been damaged in that the value of his land has been rendered practically worthless, a number of fruit trees have been destroyed, and, by reason of the change of grading, the surface water has been turned on to the land used as a garden by your petitioner and has destroyed his crops.

5.

Your petitioner further avers that no compensation for this damage has been paid him or agreed upon between him and the County of Cambria.

WHEREFORE, your petitioner prays your Honorable Court to appoint a Board of Viewers to assess the damages arising by reason of the appropriation of said land and the destruction of his property and to report the same to your Honorable Court agreeably to the Acts of Assembly in such case made and provided.

And your petitioner will ever pray.

Thomas Brandt

State of Pennsylvania :
County of Cambria : SS:

Thomas Brandt, being duly sworn according to law,
deposes and says that he is the petitioner above named and
that the facts set forth in the foregoing petition are true,
to the best of his knowledge, information and belief.

Thomas Brandt.

Sworn and subscribed before me
this 9th day of October, A. D.,
1931.

Geo. W. Williams
Prothonotary.

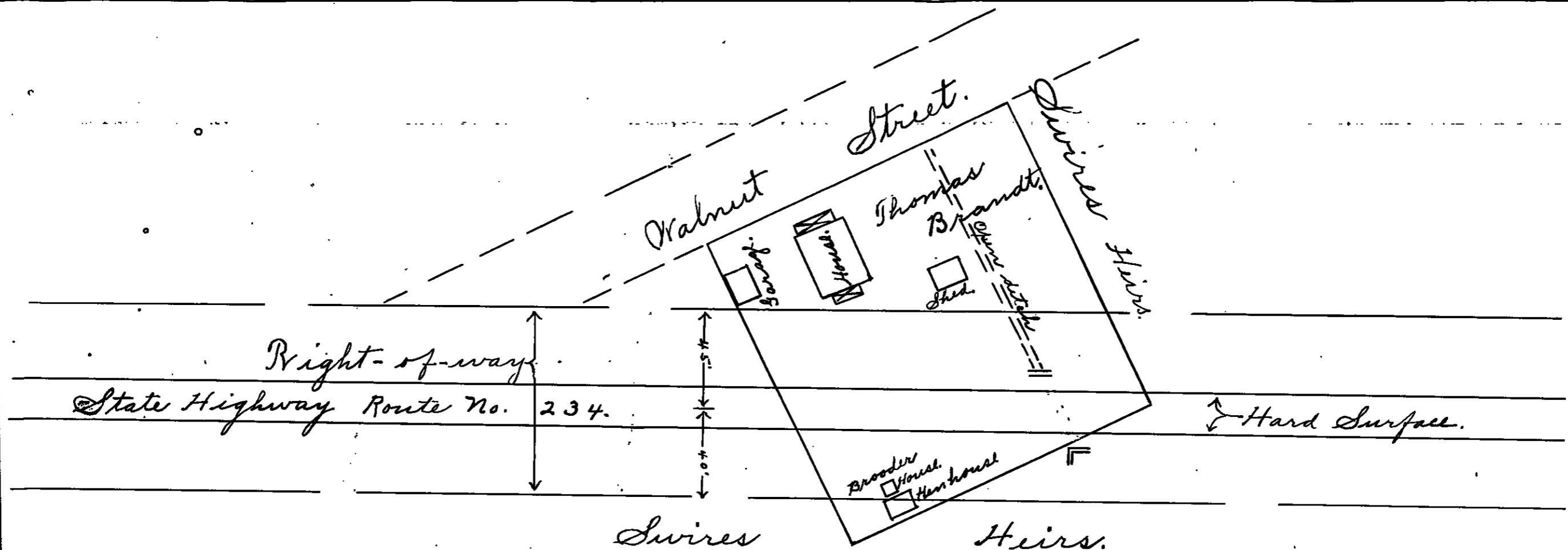
D E C R E E .

And now, October 12, 1931, the foregoing petition having been read and considered, it is ordered that Adam Shuman

Philip E. Gouffier, J. D. Ritter, and

A. M. Shuman Esq., members of the Board of Viewers of Cambria County, be and hereby are appointed to view the said land, and it is further ordered that the said Board of Viewers shall hold its first meeting as required by law, Acts of Assembly and Rules of Court, after having given due notice of said meeting, as required by law, and make report of their findings to this Court.

Samuel Lamon Reed
Cf. C.C. 47 J.D. P.D.



Plot or sketch showing the location of State Highway Route No. 234, where same passes through and over the property of one Thomas Brandt in the Village of Dean, Dean Township, Cambria County, Pennsylvania.

Viewed upon an order of the Court of Quarter Sessions of Cambria County, Pennsylvania dated the 12th day of October, A.D., 1931 and entered to Md. 3. September Sessions, 1931.

Philip E. Caulfield
J. D. Ritter and
A. M. Shoemaker,
Viewers.

No. 3 September Sess. 1931.

IN THE COURT OF QUARTER
SESSIONS OF CAMBRIA COUNTY,
PENNSYLVANIA.

PETITION FOR THE APPOINTMENT
OF VIEWERS.

October 12, 1931.

Service of a copy of
the within petition and notice
of its presentation on
October 12, 1931, at 10 o'clock
A. M., is hereby accepted.

COMMISSIONERS OF CAMBRIA
COUNTY

BY

H. J. Don
Chief Clerk.

C. RANDOLPH MYERS
ATTORNEY AT LAW
EDENSBURG, PENNSYLVANIA